

Message Text

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FM AMEMBASSY BONN

TO USMISSION USBERLIN

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AMEMBASSY BERLIN

AMEMBASSY LONDON

AMEMBASSY PARIS

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C O N F I D E N T I A L BONN 04290

E.O. 11652: GDS

TAGS: PINT, PGOV, PFOR, PINS, WB, GW, US, UK, FR

SUBJECT: BUNDESGRENZSCHUETZ MEMBERS IN BERLIN

REF: A) USBER 513; B) USBER 507

1. AFTER CONSULTATIONS AMONG ALLIED EMBASSIES, FOLLOWING
POINTS MADE ORALLY BY FRENCH (CHAIRMAN) REP ON BEHALF OF
THE THREE TO FRG IN MARCH 15 BONN GROUP MEETING:

(A) WE UNDERSTAND THAT, IN CONNECTION WITH THE
INVESTIGATION INTO THE KIDNAPPING OF HERR PETER LORENZ,
SEVEN MEMBERS OF THE BUNDESGRENZSCHUETZ WERE SECONDED BY
THE FEDERAL GOVERNMENT TO THE BUNDESKRIMINALAMT AND SENT
TO BERLIN. THE BGS IS RECOGNIZED TO BE A PARA-MILITARY
BODY AND THE PRESENCE OF ITS MEMBERS IN BERLIN ON DUTY
IS INCONSISTANT WITH ALLIED LEGISLATION IN FORCE THERE
WHICH ESTABLISHED AND MAINTAINS THE DEMILITARIZED STATUS
OF THE CITY.

(B) THE SECONDMENT OF THE SEVEN BGS MEMBERS TO
THE BKA DOES NOT ALTER THE FACT THAT, IF THEIR PRESENCE
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IN BERLIN BECAME PUBLIC KNOWLEDGE, IT WOULD BE REGARDED

AS A BGS PRESENCE IN BERLIN. SUCH ADMINISTRATIVE ARRANGEMENTS DO NOT MAKE THE PRESENCE ON DUTY IN BERLIN OF BGS MEMBERS COMPATIBLE WITH ALLIED LEGISLATION.

(C) IN THESE CIRCUMSTANCES WE SHOULD BE GRATEFUL IF THE FEDERAL GOVERNMENT WOULD MAKE ARRANGEMENTS TO BRING THIS SITUATION INTO CONFORMITY WITH ALLIED LEGISLATION AS SOON AS POSSIBLE.

2. UK REP THEN REQUESTED FRG TO INITIATE CONSULTATIONS IF SIMILAR OCCASIONS WERE TO ARISE IN THE FUTURE AND US REP ADDED IT WAS REGRETTABLE THAT APPROPRIATE CONSULTATIONS HAD NOT BEEN HELD PRIOR TO FRG DECISION TO SEND BGS MEMBERS TO BERLIN. FRG REP (LUECKING) SAID DECISION TO SECOND BGS PERSONNEL TO BKA AND SEND THEM TO BERLIN HAD BEEN TAKEN AT FAIRLY HIGH LEVEL IN FRG DURING VERY DIFFICULT HOURS OF THE LORENZ CASE. LUECKING SAID HE WISHED ALLIES TO UNDERSTAND WHY FRG HAD NOT RAISED SUBJECT WITH THEM. HE SAID IT WAS COMMON FRG PRACTICE TO SECOND OFFICIALS FROM ONE PART OF FEDERAL GOVERNMENT TO ANOTHER AND THAT, IN GERMAN EYES, SUCH INDIVIDUALS FOR THE PERIOD OF THEIR SECONDMENT ARE MEMBERS OF THE GAINING ORGANIZATION.

3. REGARDING A CONTINGENCY PRESS LINE, THERE WAS GENERAL AGREEMENT THAT THE NATURE OF ANY POSSIBLE PRESS INTEREST OR STORY WOULD, OF COURSE, DICTATE LINE OF RESPONSE. THE FOLLOWING GENERAL LINE, HOWEVER, WAS BELIEVED BY REPS TO BE APPROPRIATE:

- A. THE BGS DID NOT SEND ANYONE TO BERLIN;
- B. TECHNICAL EXPERTS WERE, UPON REQUEST FROM BERLIN, PUT AT DISPOSITION OF BERLIN AUTHORITIES TO PROVIDE ADVICE; AND
- C. THESE ADVISORS DEPARTED BERLIN BECAUSE THE BERLIN AUTHORITIES NO LONGER HAD NEED FOR THEM.

AS OF MORNING PAPERS OF MONDAY, MARCH 17, WE HAVE NOTED NO PRESS PLAY ON THIS MATTER.

COMMENT: AS IT IS POSSIBLE THAT SIMILAR SECONDMENTS WITH SUBSEQUENT DUTY IN BERLIN MAY HAVE OCCURRED IN OTHER INSTANCES, WE BELIEVE MATTER IS WORTHY OF FURTHER
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INVESTIGATION AND WE WILL BE FOLLOWING UP ON THIS IN BONN GROUP CONTEXT. AT SAME TIME, USBER MAY WISH TO MAKE APPROPRIATE INQUIRIES IN BERLIN. REGARDING BGS, FRG (AND SENAT, WE UNDERSTAND) ACCEPTED WITHOUT PROBLEM ALLIED POSITION EXPRESSED SOME MONTHS AGO IN CONNECTION WITH POSSIBLE FUTURE INTERNATIONAL POLICE EXHIBITION IN BERLIN THAT BGS, AS PARA-MILITARY FORCE, COULD NOT PARTICIPATE.

HILLENBRAND

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